



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 558	Assembly Amendments 1, 2 and 3
Memo published: October 24, 2001 Contact: Pam Shannon, Senior Staff Attorney (266-2680)	

2001 Assembly Bill 558 includes several provisions affecting persons serving in the military in Operation Enduring Freedom, including provisions on extension and renewal of professional and occupational licenses, withdrawal from college and receipt of veterans benefits.

With regard to veterans benefits, under current law, certain persons are eligible for veterans benefits based on their service in the U.S. Armed Forces during specified periods of war or hostilities. The benefits that veterans, and in some cases their eligible spouses and dependents, may receive include preference in state hiring, vocational training, economic assistance, personal and home loans, and retraining grants.

Assembly Bill 558 provides veterans benefits to persons who serve in the U.S. Armed Forces for 90 days or more in support of Operation Enduring Freedom or a successor operation or serve for 90 days or more in the Operation Enduring Freedom theater of operation, under all of the following conditions:

1. Under an active duty order, a unit assignment order or an involuntary extension of an active duty order.
2. Under honorable conditions.
3. Between September 11, 2001 and the ending date of Operation Enduring Freedom or a successor operation, as established by the state Department of Veterans Affairs by rule.

Assembly Amendment 1 eliminates the requirement that a person has to have served at least 90 days in the theater of operation in order to receive veterans benefits, so that persons serving any length of time in the actual theater of operation are eligible for those benefits. The 90-day requirement is retained for those serving in support of Operation Enduring Freedom or a successor operation outside the theater of operation.

Under current law, employees and officers of counties, towns, cities, villages, school districts and technical college districts may be granted a leave of absence if they are inducted or enlist in the U. S. Armed Forces for a period of military service of not more than four years, unless involuntarily retained for a longer period. No salary or compensation may be paid, and no claim may be made for such salary or compensation, during the leave of absence.

Assembly Amendment 2 provides that if the employee's or officer's salary or compensation is less in the U.S. Armed Forces than the salary or compensation paid by the governmental unit employing the person, that governmental unit may pay the employee or officer the difference between the salary or compensation paid by the Armed Forces and the salary or compensation paid by the governmental unit at the time the employee or officer was inducted or enlisted in the military.

Under current law, a person must periodically renew a professional or occupational license in order to engage in the profession or occupation that the license regulates. Assembly Bill 558 provides that a license held by a member of the National Guard or U.S. Armed Forces reserve at the time the member is called into active state or federal service does not expire until 90 days after the service member is discharged. The member may extend or renew that extended license at no cost for the period that the license would normally be issued or until the date the license would normally need to be renewed, if the member: (1) requests the extension or renewal within 90 days after discharge; (2) provides documentation showing the period of active service; and (3) meets all requirements for extension or renewal of the license except the requirement for continuing education or training, if meeting that requirement would cause the member undue hardship.

Assembly Amendment 3 eliminates the requirement that the service member show that meeting the continuing education or training requirement would cause undue hardship, so that the member simply does not have to meet the requirements that relate to continuing education and training but only the other requirements necessary for extension or renewal of the license in order to receive the extension described above.

On October 23, 2001, the Assembly adopted Assembly Amendments 1, 2, and 3 on voice votes and passed Assembly Bill 558, as amended, on a 97-0 vote.

PS:tlu:ksm